Customer No.:031561
Application No.: 10/708,226
Docket NO.: 12528-US-PA

REMARKS

Present Status of the Application

The Office Action rejected claims 1-7 under 35 U.S.C. 102(b), as being anticipated by Harris et al. (U.S. 5,584,070). Applicant deems that claims 1-7 have already clearly define the invention and been distinguishable over the cited art. Hence, the reconsideration of those claims is respectfully requested.

Summary of Applicant's Invention

The Applicant's invention is directed to a portable communication device having an acoustic-controlled camera module. The acoustic-controlled camera module is electrically coupled with a host module in the portable communication device and **controls an image-capturing unit through the host.** In the present invention, the portable communication device possesses an acoustic-controlled image capturing functionality for hands free remote activation in addition to the conventional press-button activation. Furthermore, with acoustic control, a group photo including the user himself can be taken at a suitable distance and not limited to only arm-length to prevent image distortion.

Discussion of Office Action Rejections

The Office Action rejected claims 1-7 under 35 U.S.C. 102(b), as being

anticipated by Harris et al. (U.S. 5,584,070) stated that the Harris et al. disclose all the features mentioned in the present invention.

Applicant respectfully traverses this rejection and respectfully submits that claim 1 has been already distinguishable over the cited arts.

The present invention is directed to a portable communication device. The portable communication device 100, as shown in Fig. 1, includes a casing 110, a host module 120, a wireless communication module 130, an image-capturing unit 140, a man-machine interface 150, **an acoustic-controlled camera module 160** and a voice-input unit 170. The image-capturing unit 140 is set on the casing 110 and is electrically coupled to the host module 120 for taking still images or recording videos or moving images. The acoustic-controlled camera module 160 is set within the casing 110 and is electrically coupled to the host module 120. The voice-input unit 170 is set on the casing 110 and is electrically connected to the acoustic-controlled camera module 160. The voice-input unit 170 may be a microphone suitable for receiving acoustic signals from the surrounding and transferring the signals to the acoustic-controlled camera module 160. **The acoustic-controlled camera module 160 is activated by the acoustic signal received by the voice-input unit 170.** For example, **the acoustic-controlled camera module 160 activates the image-capturing unit 140 when the waveform of the acoustic signal picked up by the voice-input unit 170 fits a preset profile or the intensity of the acoustic signal exceeds a preset value. (para. 0018 in the present invention)**

However, in the cited reference, Harris et al. fails to tech or suggest to assembly an acoustic-controlled camera module with the wireless pager. Harris et al. provide a wireless pager with a separable transmitter having an audio input device and a camera. In the cited reference, Harris et al. emphasize that the audio input device 62, as shown in cited Fig. 2, which receives at least one acoustic pressure wave **for forming an audio message** (column. 5, lines 15-17). Harris et al. further mention that

> *".....the audio message includes a spoken message articulated by the user. The spoken message may be articulated contemporaneously with the capturing of a sequence of images of the user, so that a resulting visual message can be synchronized therewith at a receiving pager. Alternatively, the spoken message may be articulated at a different time than that for capturing the at least one image. Regardless, by employing both the camera 60 and the audio input device 62, the user is capable of forming a message which comprises both an audio message and a visual message." (column. 5, lines 21-30).*

That is, the audio input device 62 is used as an audio recorder for recording the audio message together with the image capturing process. Nevertheless, Harris et al. never mention or suggest that the audio input device 62 is a device used to control the camera under the acoustic instructions made by user. It is clearly that the audio input device 62 in the cited art does not have any controlling functionality to control the camera while receiving the acoustic instruction. Further, Harris et al. also fails to teach or suggest to assembly an acoustic-controlled camera module into the disclosed wireless pager. Therefore, there is no combination motivation for people skilled in the art to combine the cited art to obtain the same advantage as provided by the invention.

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For at least the foregoing reasons, Applicant respectfully submits that independent claim 1 patently defines over the prior art references, and should be allowed. For at least the same reasons, dependent claims2-7 patently define over the prior art as well.

CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-7 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Respectfully submitted,

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